



**Service of Process  
Transmittal**

10/29/2009

CT Log Number 515644053



**TO:** Kim Wilburn  
Sunrise Senior Living, Inc.  
7902 Westpark Drive, Legal Department  
McLean, VA 22102

**RE: Process Served in Illinois**

**FOR:** Sunrise Senior Living Management, Inc. (Domestic State: VA)

**ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:**

**TITLE OF ACTION:** Faye M. Garland, Pltf. vs. Sunrise Senior Living, Inc., etc. et al. including Sunrise Senior Living Management, Inc., Dfts.

**DOCUMENT(S) SERVED:** Summons (2 sets), Complaint, Affidavit(s)

**COURT/AGENCY:** Cook County Circuit Court - County Department - Law Division, IL  
Case # 2009L012309

**NATURE OF ACTION:** Personal Injury - Failure to Maintain Premises in a Safe Condition - Vehicle Collision - On and before 10/21/07 - 1250 West Central Road, Arlington Heights IL

**ON WHOM PROCESS WAS SERVED:** C T Corporation System, Chicago, IL

**DATE AND HOUR OF SERVICE:** By Process Server on 10/29/2009 at 09:30

**APPEARANCE OR ANSWER DUE:** Within 30 days after service, not counting the day of service

**ATTORNEY(S) / SENDER(S):** Thomas G. Gorman  
Schiff Gorman & Krkljes  
One East Wacker Drive  
28th FL  
Chicago, IL 60601  
312-345-7210

**ACTION ITEMS:** SOP Papers with Transmittal, via Fed Ex 2 Day , 792165700271  
Image SOP  
Email Notification, Kim Wilburn kimberly.wilburn@sunriseseniorliving.com  
Email Notification, Helen Wilson helen.wilson@sunriseseniorliving.com  
Email Notification, Kristin Thompson kristin.thompson@sunriseseniorliving.com

**SIGNED:** C T Corporation System  
**PER:** Jill Duffy-Baricovich  
**ADDRESS:** 208 South LaSalle Street  
Suite 814  
Chicago, IL 60604  
**TELEPHONE:** 312-345-4336

Page 1 of 1 / FR

Information displayed on this transmittal is for CT Corporation's record keeping purposes only and is provided to the recipient for quick reference. This information does not constitute a legal opinion as to the nature of action, the amount of damages, the answer date, or any information contained in the documents themselves. Recipient is responsible for interpreting said documents and for taking appropriate action. Signatures on certified mail receipts confirm receipt of package only, not contents.

2120 - Served  
2220 - Not Served  
2320 - Served By Mail  
2420 - Served By Publication  
SUMMONS

2121 - Served  
2221 - Not Served  
2321 - Served By Mail  
2421 - Served By Publication  
ALIAS - SUMMONS

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

FAYE M. GARLAND,

Plaintiff,

vs.

SUNRISE SENIOR LIVING, INC., d/b/a  
SUNRISE CHURCH CREEK, SUNRISE  
SENIOR LIVING SERVICES, INC.  
SUNRISE SENIOR LIVING  
MANAGEMENT, INC. and  
SUNRISE SENIOR LIVING  
INVESTMENTS, INC., a foreign  
Corporation, and SPTMRT  
PROPERTIES TRUST, a Maryland  
real estate investment  
trust,

Defendants.

Court No:

2009L012309  
CALENDAR/ROOM E  
TIME 00:00  
Premises Liability

Please served:

Sunrise Senior Living, Inc., d/b/a Sunrise Church Creek,  
Sunrise Senior Living Services, Inc.  
Sunrise Senior Living Management, Inc.  
Sunrise Senior Living Investments, Inc.  
REGISTERED AGENT:  
CT Corporation System  
208 South LaSalle Street  
Suite 814  
Chicago, IL 60604

SUMMONS

YOU ARE SUMMONED and required to file an answer in this case, or otherwise file your appearance in the Office of the Clerk of this Court (located at The Richard J. Daley Center, Eighth Floor, Chicago, Illinois 60602), within 30 days after service of this summons, not counting the day of service. IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT, A COPY OF WHICH IS HERETO ATTACHED.

To the Officer:

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than 30 days after its date.

WITNESS: \_\_\_\_\_, 2009  
Clerk of the Court

Attorney No. 37407  
Name: Thomas G. Gorman of Schiff, Gorman & Krkljes  
Attorney for: Plaintiff  
Address: One E. Wacker Drive, Suite 2850  
City: Chicago, Illinois 60601  
Telephone: 312/345-7210

2120 - Served  
2220 - Not Served  
2320 - Served By Mail  
2420 - Served By Publication  
SUMMONS

2121 - Served  
2221 - Not Served  
2321 - Served By Mail  
2421 - Served By Publication  
ALIAS - SUMMONS

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

FAYE M. GARLAND,

Plaintiff,

vs.

SUNRISE SENIOR LIVING, INC., d/b/a  
SUNRISE CHURCH CREEK, SUNRISE  
SENIOR LIVING SERVICES, INC.  
SUNRISE SENIOR LIVING  
MANAGEMENT, INC. and  
SUNRISE SENIOR LIVING  
INVESTMENTS, INC., a foreign  
Corporation, and SPTMRT  
PROPERTIES TRUST, a Maryland  
real estate investment  
trust,

Defendants.

Court No:

2009L012309  
CALENDAR/ROOM E  
TIME 00:00  
Premises Liability

Please served:

Sunrise Senior Living, Inc., d/b/a Sunrise Church Creek,  
Sunrise Senior Living Services, Inc.  
Sunrise Senior Living Management, Inc.  
Sunrise Senior Living Investments, Inc.  
REGISTERED AGENT:  
CT Corporation System  
208 South LaSalle Street  
Suite 814  
Chicago, IL 60604

SUMMONS

YOU ARE SUMMONED and required to file an answer in this case, or otherwise file your appearance in the Office of the Clerk of this Court (located at The Richard J. Daley Center, Eighth Floor, Chicago, Illinois 60602), within 30 days after service of this summons, not counting the day of service. IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT, A COPY OF WHICH IS HERETO ATTACHED.

To the Officer:

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than 30 days after its date.

WITNESS:

Clerk of the Court

DEC 16 2009

Attorney No. 37407  
Name: Thomas G. Gorman of Schiff, Gorman & Krkljes  
Attorney for: Plaintiff  
Address: One E. Wacker Drive, Suite 2850  
City: Chicago, Illinois 60601  
Telephone: 312/345-7210

Firm ID# 37407

IN THE CIRCUIT COURT OF COOK COUNTY  
COUNTY DEPARTMENT, LAW DIVISION

FAYE M. GARLAND,

Plaintiff,

vs.

Case No.:

2009L012309  
CALENDAR/ROOM E  
TIME 00:00  
Premises Liability

SUNRISE SENIOR LIVING, INC., d/b/a )  
SUNRISE CHURCH CREEK, SUNRISE )  
SENIOR LIVING SERVICES, INC. )  
SUNRISE SENIOR LIVING )  
MANAGEMENT, INC. and )  
SUNRISE SENIOR LIVING )  
INVESTMENTS, INC., a foreign )  
Corporation, and SPTMRT PROPERTIES )  
TRUST, a Maryland real estate investment )  
trust, )

Defendants.

COMPLAINT AT LAW

PLAINTIFF, FAYE GARLAND, through her attorneys, SCHIFF GORMAN & KRKLJES, complaining of Defendants, SUNRISE SENIOR LIVING, INC., d/b/a SUNRISE CHURCH CREEK, SUNRISE SENIOR LIVING SERVICES, INC. SUNRISE SENIOR LIVING MANAGEMENT, INC., and/or SUNRISE SENIOR LIVING INVESTMENTS, INC., foreign corporations, and SPTMRT PROPERTIES, a Maryland real estate investment trust, states as follows:

NEGLIGENCE

1. On and before October 21, 2007, SUNRISE SENIOR LIVING, INC., d/b/a SUNRISE CHURCH CREEK, SUNRISE SENIOR LIVING SERVICES, INC., SUNRISE SENIOR LIVING MANAGEMENT, INC., and/or SUNRISE SENIOR LIVING INVESTMENTS, INC, all foreign corporations (hereinafter collectively SUNRISE) were authorized to do business in the State of Illinois.

2. On and before October 21, 2007, SPTMRT PROPERTIES, a Maryland real estate investment trust, (hereinafter SPTMRT) was authorized to do business in the State of Illinois.

3. On and before October 21, 2007, SUNRISE and/or SPTMRT, and each of them, owned, operated, managed, maintained, supervised and controlled the premises located at 1250 West Central Road in Arlington Heights, County of Cook, State of Illinois, and among other things, owned and managed an independent living community, nursing and rehabilitation facility.

4. On and before October 21, 2007, at approximately 7:10 p.m., Plaintiff FAYE GARLAND (hereinafter GARLAND) was lawfully on the aforementioned property in the parking area of the aforementioned property and intending to drive her vehicle off said property.

5. At the aforementioned time and place, during her exit from the property, the overhead lighting at the exit area was not active and the exit area was in darkness.

6. At the aforementioned time and place, GARLAND'S vehicle entered an unnatural hole in the exit lane, and as a result, her vehicle was caused to leave the road and hit a tree.

7. At all times relevant herein, SUNRISE and SPTMRT, and each of them, through their agents, servants and employees, had a duty to operate the aforementioned business and maintain said premises with reasonable care and caution for its invitees, including GARLAND, such that it was safe for persons lawfully thereon.

8. Notwithstanding the aforementioned duty, and in breach thereof, at the aforementioned time and place SUNRISE and SPTMRT, and each of them, were guilty on one or more of the following negligent acts and or omissions:

- a. failed to properly inspect the premises, and in particular the aforementioned exit area and parking lot, to ensure it was safe for persons lawfully thereon;

- b. allowed and permitted said driveway, exit area, and parking lot to remain in a dangerous condition, specifically, said area was filled with broken concrete/asphalt/cement creating large holes in the lanes used for vehicular traffic exiting the premises, when Defendants knew, or in the exercise of reasonable care should have known, that this condition created dangers and hazards for persons using same;
- c. failed to warn Plaintiff of the existence of the aforementioned dangerous conditions;
- d. failed to identify, remedy, block off, rope, or otherwise cordon-off the aforementioned dangerous conditions;
- e. failed to adequately manage, repair and maintain the aforementioned area so as to keep same safe for persons lawfully using same;
- f. failed to direct traffic so that vehicles would not encounter the dangerous areas;
- g. failed to adequately illuminate the area when Defendants knew, or in the exercise of reasonable care should have known, of the existence of the dangers presented;
- g. designed, created, constructed, installed, managed and maintained a dangerous condition, specifically, a parking lot that was dangerous when put to its intended use; and
- h. created and/or allowed the creation and existence of a means of egress from the property which violated the customs and practice and standards of design of the construction and maintenance industries which require paved areas to be free of hazards, and maintained for safe use.

9. As a direct and proximate result of one or more of the aforesaid negligent acts and/or omissions of Defendants SUNRISE and SPTMRT, and each of them, Plaintiff's vehicle was caused to leave the road and hit a tree.

10. As direct and proximate cause of one or more of the aforementioned negligent acts and or omissions of defendants, SUNRISE and SPTMRT, and each of them, Plaintiff FAYE GARLAND then and there sustained severe and permanent injuries, both internally and externally, which caused and continues to cause her great pain and suffering and necessitated the

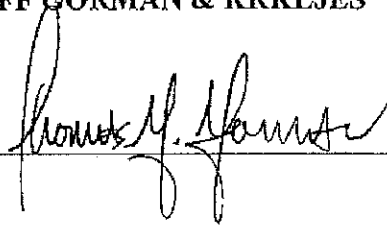
expenditure of and will in the future necessitate the expenditure of large sums of money for medical care and services related to her injuries, and was and will in the future hinder and prevent her from attending to her duties and affairs, and has lost, and will in the future lose the value of that time.

WHEREFORE, Plaintiff, FAYE GARLAND, demands judgment against Defendants, SUNRISE SENIOR LIVING, INC., D/B/A SUNRISE CHURCH CREEK, SUNRISE SENIOR LIVING SERVICES, INC., and SUNRISE SENIOR LIVING INVESTMENTS, INC., a foreign corporation, and SPTMRT PROPERTIES, a Maryland real estate investment Trust, and each of them, in an amount in excess of the jurisdictional limits of this Court as well as costs concomitant herewith.

Respectfully submitted,

**SCHIFF GORMAN & KRKLJES**

By: \_\_\_\_\_

A handwritten signature in dark ink, appearing to read "Thomas G. Gorman", is written over a horizontal line.

Thomas G. Gorman  
**SCHIFF GORMAN & KRKLJES**  
One East Wacker Drive, 28<sup>th</sup> Floor  
Chicago, Illinois 60601  
(312) 345-7210

Firm ID# 37407

IN THE CIRCUIT COURT OF COOK COUNTY  
COUNTY DEPARTMENT, LAW DIVISION

FAYE M. GARLAND,

Plaintiff,

vs.

Case No.:

SUNRISE SENIOR LIVING, INC., d/b/a )  
SUNRISE CHURCH CREEK, SUNRISE )  
SENIOR LIVING SERVICES, INC. )  
SUNRISE SENIOR LIVING )  
MANAGEMENT, INC. and )  
SUNRISE SENIOR LIVING )  
INVESTMENTS, INC., a foreign )  
Corporation, and SPTMRT PROPERTIES )  
TRUST, a Maryland real estate investment )  
trust, )

Defendants.

**AFFIDAVIT PURSUANT TO RULE 222(b)**

Thomas G. Gorman, upon oath, states that if called will testify as follows:

I am one of the attorneys for the Plaintiff, FAYE GARLAND.

I am familiar with the extent of damages suffered by FAYE GARLAND; and

I reasonably believe that the total money damages suffered by her exceeds \$50,000.00 exclusive of costs.

**CERTIFICATION**

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that, at this time, the statements set forth in this instrument are true and correct to the best of my knowledge, information and belief.

  
\_\_\_\_\_  
Thomas G. Gorman





**Service of Process  
Transmittal**

10/29/2009

CT Log Number 515644074



**TO:** Kim Wilburn  
Sunrise Senior Living, Inc.  
7902 Westpark Drive, Legal Department  
McLean, VA 22102

**RE: Process Served in Illinois**

**FOR:** Sunrise Senior Living Investments, Inc. (Domestic State: VA)

**ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:**

**TITLE OF ACTION:** Faye M. Garland, Pltff. vs. Sunrise Senior Living, Inc., etc. et al. including Sunrise Senior Living Investments, Inc., Dfts.

**DOCUMENT(S) SERVED:** Summons (2 sets), Complaint, Affidavit(s)

**COURT/AGENCY:** Cook County Circuit Court - County Department - Law Division, IL  
Case # 2009L012309

**NATURE OF ACTION:** Personal Injury - Failure to Maintain Premises in a Safe Condition - Vehicle Collision - On and before 10/21/07 - 1250 West Central Road, Arlington Heights IL

**ON WHOM PROCESS WAS SERVED:** C T Corporation System, Chicago, IL

**DATE AND HOUR OF SERVICE:** By Process Server on 10/29/2009 at 09:30

**APPEARANCE OR ANSWER DUE:** Within 30 days after service, not counting the day of service

**ATTORNEY(S) / SENDER(S):** Thomas G. Gorman  
Schiff Gorman & Krkljes  
One East Wacker Drive  
28th FL  
Chicago, IL 60601  
312-345-7210

**ACTION ITEMS:** SOP Papers with Transmittal, via Fed Ex 2 Day , 792165700271  
Image SOP  
Email Notification, Kim Wilburn kimberly.wilburn@sunriseseniorliving.com  
Email Notification, Helen Wilson helen.wilson@sunriseseniorliving.com  
Email Notification, Kristin Thompson kristin.thompson@sunriseseniorliving.com

**SIGNED:** C T Corporation System  
**PER:** Jill Duffy-Baricovich  
**ADDRESS:** 208 South LaSalle Street  
Suite 814  
Chicago, IL 60604  
**TELEPHONE:** 312-345-4336

2120 - Served  
2220 - Not Served  
2320 - Served By Mail  
2420 - Served By Publication  
SUMMONS

2121 - Served  
2221 - Not Served  
2321 - Served By Mail  
2421 - Served By Publication  
ALIAS - SUMMONS

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

FAYE M. GARLAND,

Plaintiff,

vs.

Court No:

2009L012309  
CALENDAR/ROOM E  
TIME 00:00  
Premises Liability

SUNRISE SENIOR LIVING, INC., d/b/a  
SUNRISE CHURCH CREEK, SUNRISE  
SENIOR LIVING SERVICES, INC.  
SUNRISE SENIOR LIVING  
MANAGEMENT, INC. and  
SUNRISE SENIOR LIVING  
INVESTMENTS, INC., a foreign  
Corporation, and SPTMRT  
PROPERTIES TRUST, a Maryland  
real estate investment  
trust,

Please served:  
Sunrise Senior Living, Inc., d/b/a Sunrise Church Creek,  
Sunrise Senior Living Services, Inc.  
Sunrise Senior Living Management, Inc.  
Sunrise Senior Living Investments, Inc.  
REGISTERED AGENT:  
CT Corporation System  
208 South LaSalle Street  
Suite 814  
Chicago, IL 60604

Defendants.

SUMMONS

YOU ARE SUMMONED and required to file an answer in this case, or otherwise file your appearance in the Office of the Clerk of this Court (located at The Richard J. Daley Center, Eighth Floor, Chicago, Illinois 60602), within 30 days after service of this summons, not counting the day of service. IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT, A COPY OF WHICH IS HERETO ATTACHED.

To the Officer:

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than 30 days after its date.

WITNESS: \_\_\_\_\_, 2009  
Clerk of the Court

Attorney No. 37407  
Name: Thomas G. Gorman of Schiff, Gorman & Krkljes  
Attorney for: Plaintiff  
Address: One E. Wacker Drive, Suite 2850  
City: Chicago, Illinois 60601  
Telephone: 312/345-7210

2120 – Served  
 2220 – Not Served  
 2320 – Served By Mail  
 2420 – Served By Publication  
 SUMMONS

2121 – Served  
 2221 – Not Served  
 2321 – Served By Mail  
 2421 – Served By Publication  
 ALIAS – SUMMONS

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
 COUNTY DEPARTMENT, LAW DIVISION**

FAYE M. GARLAND,

Plaintiff,

vs.

SUNRISE SENIOR LIVING, INC., d/b/a  
 SUNRISE CHURCH CREEK, SUNRISE  
 SENIOR LIVING SERVICES, INC.  
 SUNRISE SENIOR LIVING  
 MANAGEMENT, INC. and  
 SUNRISE SENIOR LIVING  
 INVESTMENTS, INC., a foreign  
 Corporation, and SPTMRT  
 PROPERTIES TRUST, a Maryland  
 real estate investment  
 trust,

Defendants.

Court No:

Please served:

Sunrise Senior Living, Inc., d/b/a Sunrise Church Creek,  
 Sunrise Senior Living Services, Inc.  
 Sunrise Senior Living Management, Inc.  
 Sunrise Senior Living Investments, Inc.  
 REGISTERED AGENT:  
 CT Corporation System  
 208 South LaSalle Street  
 Suite 814  
 Chicago, IL 60604

2009L012309  
 CALENDAR/ROOM E  
 TIME 00:00  
 Premises Liability

**SUMMONS**

YOU ARE SUMMONED and required to file an answer in this case, or otherwise file your appearance in the Office of the Clerk of this Court (located at The Richard J. Daley Center, Eighth Floor, Chicago, Illinois 60602), within 30 days after service of this summons, not counting the day of service. IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT, A COPY OF WHICH IS HERETO ATTACHED.

To the Officer:

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than 30 days after its date.

WITNESS: \_\_\_\_\_, 2009  
 Clerk of the Court

Attorney No. 37407  
 Name: Thomas G. Gorman of Schiff, Gorman & Krkljes  
 Attorney for: Plaintiff  
 Address: One E. Wacker Drive, Suite 2850  
 City: Chicago, Illinois 60601  
 Telephone: 312/345-7210

Firm ID# 37407

IN THE CIRCUIT COURT OF COOK COUNTY  
COUNTY DEPARTMENT, LAW DIVISION

FAYE M. GARLAND,

Plaintiff,

vs.

SUNRISE SENIOR LIVING, INC., d/b/a  
SUNRISE CHURCH CREEK, SUNRISE  
SENIOR LIVING SERVICES, INC.  
SUNRISE SENIOR LIVING  
MANAGEMENT, INC. and  
SUNRISE SENIOR LIVING  
INVESTMENTS, INC., a foreign  
Corporation, and SPTMRT PROPERTIES  
TRUST, a Maryland real estate investment  
trust,

Defendants.

Case No.:

2009LO12309  
CALENDAR/ROOM E  
TIME 00:00  
Premises Liability

COMPLAINT AT LAW

PLAINTIFF, FAYE GARLAND, through her attorneys, SCHIFF GORMAN &  
KRKLJES, complaining of Defendants, SUNRISE SENIOR LIVING, INC., d/b/a SUNRISE  
CHURCH CREEK, SUNRISE SENIOR LIVING SERVICES, INC. SUNRISE SENIOR  
LIVING MANAGEMENT, INC., and/or SUNRISE SENIOR LIVING INVESTMENTS, INC.,  
foreign corporations, and SPTMRT PROPERTIES, a Maryland real estate investment trust,  
states as follows:

NEGLIGENCE

1. On and before October 21, 2007, SUNRISE SENIOR LIVING, INC., d/b/a  
SUNRISE CHURCH CREEK, SUNRISE SENIOR LIVING SERVICES, INC., SUNRISE  
SENIOR LIVING MANAGEMENT, INC., and/or SUNRISE SENIOR LIVING  
INVESTMENTS, INC, all foreign corporations (hereinafter collectively SUNRISE) were  
authorized to do business in the State of Illinois.

2. On and before October 21, 2007, SPTMRT PROPERTIES, a Maryland real estate investment trust, (hereinafter SPTMRT) was authorized to do business in the State of Illinois.

3. On and before October 21, 2007, SUNRISE and/or SPTMRT, and each of them, owned, operated, managed, maintained, supervised and controlled the premises located at 1250 West Central Road in Arlington Heights, County of Cook, State of Illinois, and among other things, owned and managed an independent living community, nursing and rehabilitation facility.

4. On and before October 21, 2007, at approximately 7:10 p.m., Plaintiff FAYE GARLAND (hereinafter GARLAND) was lawfully on the aforementioned property in the parking area of the aforementioned property and intending to drive her vehicle off said property.

5. At the aforementioned time and place, during her exit from the property, the overhead lighting at the exit area was not active and the exit area was in darkness.

6. At the aforementioned time and place, GARLAND'S vehicle entered an unnatural hole in the exit lane, and as a result, her vehicle was caused to leave the road and hit a tree.

7. At all times relevant herein, SUNRISE and SPTMRT, and each of them, through their agents, servants and employees, had a duty to operate the aforementioned business and maintain said premises with reasonable care and caution for its invitees, including GARLAND, such that it was safe for persons lawfully thereon.

8. Notwithstanding the aforementioned duty, and in breach thereof, at the aforementioned time and place SUNRISE and SPTMRT, and each of them, were guilty on one or more of the following negligent acts and or omissions:

- a. failed to properly inspect the premises, and in particular the aforementioned exit area and parking lot, to ensure it was safe for persons lawfully thereon;

expenditure of and will in the future necessitate the expenditure of large sums of money for medical care and services related to her injuries, and was and will in the future hinder and prevent her from attending to her duties and affairs, and has lost, and will in the future lose the value of that time.

WHEREFORE, Plaintiff, FAYE GARLAND, demands judgment against Defendants, SUNRISE SENIOR LIVING, INC., D/B/A SUNRISE CHURCH CREEK, SUNRISE SENIOR LIVING SERVICES, INC., and SUNRISE SENIOR LIVING INVESTMENTS, INC., a foreign corporation, and SPTMRT PROPERTIES, a Maryland real estate investment Trust, and each of them, in an amount in excess of the jurisdictional limits of this Court as well as costs concomitant herewith.

Respectfully submitted,

**SCHIFF GORMAN & KRKLJES**

By:  \_\_\_\_\_

Thomas G. Gorman  
**SCHIFF GORMAN & KRKLJES**  
One East Wacker Drive, 28<sup>th</sup> Floor  
Chicago, Illinois 60601  
(312) 345-7210

Firm ID# 37407

IN THE CIRCUIT COURT OF COOK COUNTY  
COUNTY DEPARTMENT, LAW DIVISION

FAYE M. GARLAND,

Plaintiff,

vs.

Case No.:

SUNRISE SENIOR LIVING, INC., d/b/a )  
SUNRISE CHURCH CREEK, SUNRISE )  
SENIOR LIVING SERVICES, INC. )  
SUNRISE SENIOR LIVING )  
MANAGEMENT, INC. and )  
SUNRISE SENIOR LIVING )  
INVESTMENTS, INC., a foreign )  
Corporation, and SPTMRT PROPERTIES )  
TRUST, a Maryland real estate investment )  
trust, )

Defendants.

AFFIDAVIT PURSUANT TO RULE 222(b)

Thomas G. Gorman, upon oath, states that if called will testify as follows:

I am one of the attorneys for the Plaintiff, FAYE GARLAND.

I am familiar with the extent of damages suffered by FAYE GARLAND; and

I reasonably believe that the total money damages suffered by her exceeds \$50,000.00 exclusive of costs.

CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that, at this time, the statements set forth in this instrument are true and correct to the best of my knowledge, information and belief.

  
\_\_\_\_\_  
Thomas G. Gorman



**Service of Process  
Transmittal**

10/29/2009

CT Log Number 515644088



**TO:** Kim Wilburn  
Sunrise Senior Living, Inc.  
7902 Westpark Drive, Legal Department  
McLean, VA 22102

**RE: Process Served in Illinois**

**FOR:** Sunrise Senior Living, Inc. (Domestic State: DE)

**ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:**

**TITLE OF ACTION:** Faye M. Garland, Pltf. vs. Sunrise Senior Living, Inc., etc., Dfts.

**DOCUMENT(S) SERVED:** Summons (2 sets), Complaint, Affidavit(s)

**COURT/AGENCY:** Cook County Circuit Court - County Department - Law Division, IL  
Case # 2009L012309

**NATURE OF ACTION:** Personal Injury - Failure to Maintain Premises in a Safe Condition - Vehicle Collision -  
On and before 10/21/07 - 1250 West Central Road, Arlington Heights IL

**ON WHOM PROCESS WAS SERVED:** C T Corporation System, Chicago, IL

**DATE AND HOUR OF SERVICE:** By Process Server on 10/29/2009 at 09:30

**APPEARANCE OR ANSWER DUE:** Within 30 days after service, not counting the day of service

**ATTORNEY(S) / SENDER(S):** Thomas G. Gorman  
Schiff Gorman & Krkljes  
One East Wacker Drive  
28th FL  
Chicago, IL 60601  
312-345-7210

**ACTION ITEMS:** SOP Papers with Transmittal, via Fed Ex 2 Day , 792165700271  
Image SOP  
Email Notification, Kim Wilburn kimberly.wilburn@sunriseseniorliving.com  
Email Notification, Helen Wilson helen.wilson@sunriseseniorliving.com  
Email Notification, Kristin Thompson kristin.thompson@sunriseseniorliving.com

**SIGNED:** C T Corporation System  
**PER:** Jill Duffy-Baricovich  
**ADDRESS:** 208 South LaSalle Street  
Suite 814  
Chicago, IL 60604  
**TELEPHONE:** 312-345-4336



2120 – Served  
2220 – Not Served  
2320 – Served By Mail  
2420 – Served By Publication  
SUMMONS

2121 – Served  
2221 – Not Served  
2321 – Served By Mail  
2421 – Served By Publication  
ALIAS – SUMMONS

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

FAYE M. GARLAND,

Plaintiff,

vs.

SUNRISE SENIOR LIVING, INC., d/b/a  
SUNRISE CHURCH CREEK, SUNRISE  
SENIOR LIVING SERVICES, INC.  
SUNRISE SENIOR LIVING  
MANAGEMENT, INC. and  
SUNRISE SENIOR LIVING  
INVESTMENTS, INC., a foreign  
Corporation, and SPTMRT  
PROPERTIES TRUST, a Maryland  
real estate investment  
trust,

Defendants.

Court No:

Please served:

Sunrise Senior Living, Inc., d/b/a Sunrise Church Creek,  
Sunrise Senior Living Services, Inc.  
Sunrise Senior Living Management, Inc.  
Sunrise Senior Living Investments, Inc.

REGISTERED AGENT:

CT Corporation System  
208 South LaSalle Street  
Suite 814  
Chicago, IL 60604

2009L012309  
CALENDAR/ROOM E  
TIME 00:00  
Premises Liability

SUMMONS

YOU ARE SUMMONED and required to file an answer in this case, or otherwise file your appearance in the Office of the Clerk of this Court (located at The Richard J. Daley Center, Eighth Floor, Chicago, Illinois 60602), within 30 days after service of this summons, not counting the day of service. IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT, A COPY OF WHICH IS HERETO ATTACHED.

To the Officer:

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than 30 days after its date.

WITNESS:

Clerk of the Court

Attorney No. 37407  
Name: Thomas G. Gorman of Schiff, Gorman & Krkljes  
Attorney for: Plaintiff  
Address: One E. Wacker Drive, Suite 2850  
City: Chicago, Illinois 60601  
Telephone: 312/345-7210

2120 - Served  
2220 - Not Served  
2320 - Served By Mail  
2420 - Served By Publication  
SUMMONS

2121 - Served  
2221 - Not Served  
2321 - Served By Mail  
2421 - Served By Publication  
ALIAS - SUMMONS

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

FAYE M. GARLAND,

Plaintiff,

vs.

SUNRISE SENIOR LIVING, INC., d/b/a  
SUNRISE CHURCH CREEK, SUNRISE  
SENIOR LIVING SERVICES, INC.  
SUNRISE SENIOR LIVING  
MANAGEMENT, INC. and  
SUNRISE SENIOR LIVING  
INVESTMENTS, INC., a foreign  
Corporation, and SPTMRT  
PROPERTIES TRUST, a Maryland  
real estate investment  
trust,

Defendants.

Court No:

Please served:

Sunrise Senior Living, Inc., d/b/a Sunrise Church Creek,  
Sunrise Senior Living Services, Inc.  
Sunrise Senior Living Management, Inc.  
Sunrise Senior Living Investments, Inc.  
REGISTERED AGENT:  
CT Corporation System  
208 South LaSalle Street  
Suite 814  
Chicago, IL 60604

2009L012309  
CALENDAR/ROOM E  
TIME 00:00  
Premises Liability

SUMMONS

YOU ARE SUMMONED and required to file an answer in this case, or otherwise file your appearance in the Office of the Clerk of this Court (located at The Richard J. Daley Center, Eighth Floor, Chicago, Illinois 60602), within 30 days after service of this summons, not counting the day of service. IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT, A COPY OF WHICH IS HERETO ATTACHED.

To the Officer:

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than 30 days after its date.

WITNESS:

Clerk of the Court

Attorney No. 37407  
Name: Thomas G. Gorman of Schiff, Gorman & Krkljes  
Attorney for: Plaintiff  
Address: One E. Wacker Drive, Suite 2850  
City: Chicago, Illinois 60601  
Telephone: 312/345-7210

Firm ID# 37407

IN THE CIRCUIT COURT OF COOK COUNTY  
COUNTY DEPARTMENT, LAW DIVISION

FAYE M. GARLAND,

Plaintiff,

vs.

SUNRISE SENIOR LIVING, INC., d/b/a  
SUNRISE CHURCH CREEK, SUNRISE  
SENIOR LIVING SERVICES, INC.  
SUNRISE SENIOR LIVING  
MANAGEMENT, INC. and  
SUNRISE SENIOR LIVING  
INVESTMENTS, INC., a foreign  
Corporation, and SPTMRT PROPERTIES  
TRUST, a Maryland real estate investment  
trust,

Defendants.

Case No.:

2009L012309  
CALENDAR/ROOM E  
TIME 00:00  
Premises Liability

COMPLAINT AT LAW

PLAINTIFF, FAYE GARLAND, through her attorneys, SCHIFF GORMAN &  
KRKLJES, complaining of Defendants, SUNRISE SENIOR LIVING, INC., d/b/a SUNRISE  
CHURCH CREEK, SUNRISE SENIOR LIVING SERVICES, INC. SUNRISE SENIOR  
LIVING MANAGEMENT, INC., and/or SUNRISE SENIOR LIVING INVESTMENTS, INC.,  
foreign corporations, and SPTMRT PROPERTIES, a Maryland real estate investment trust,  
states as follows:

NEGLIGENCE

1. On and before October 21, 2007, SUNRISE SENIOR LIVING, INC., d/b/a  
SUNRISE CHURCH CREEK, SUNRISE SENIOR LIVING SERVICES, INC., SUNRISE  
SENIOR LIVING MANAGEMENT, INC., and/or SUNRISE SENIOR LIVING  
INVESTMENTS, INC, all foreign corporations (hereinafter collectively SUNRISE) were  
authorized to do business in the State of Illinois.

2. On and before October 21, 2007, SPTMRT PROPERTIES, a Maryland real estate investment trust, (hereinafter SPTMRT) was authorized to do business in the State of Illinois.

3. On and before October 21, 2007, SUNRISE and/or SPTMRT, and each of them, owned, operated, managed, maintained, supervised and controlled the premises located at 1250 West Central Road in Arlington Heights, County of Cook, State of Illinois, and among other things, owned and managed an independent living community, nursing and rehabilitation facility.

4. On and before October 21, 2007, at approximately 7:10 p.m., Plaintiff FAYE GARLAND (hereinafter GARLAND) was lawfully on the aforementioned property in the parking area of the aforementioned property and intending to drive her vehicle off said property.

5. At the aforementioned time and place, during her exit from the property, the overhead lighting at the exit area was not active and the exit area was in darkness.

6. At the aforementioned time and place, GARLAND'S vehicle entered an unnatural hole in the exit lane, and as a result, her vehicle was caused to leave the road and hit a tree.

7. At all times relevant herein, SUNRISE and SPTMRT, and each of them, through their agents, servants and employees, had a duty to operate the aforementioned business and maintain said premises with reasonable care and caution for its invitees, including GARLAND, such that it was safe for persons lawfully thereon.

8. Notwithstanding the aforementioned duty, and in breach thereof, at the aforementioned time and place SUNRISE and SPTMRT, and each of them, were guilty on one or more of the following negligent acts and or omissions:

- a. failed to properly inspect the premises, and in particular the aforementioned exit area and parking lot, to ensure it was safe for persons lawfully thereon;

- b. allowed and permitted said driveway, exit area, and parking lot to remain in a dangerous condition, specifically, said area was filled with broken concrete/asphalt/cement creating large holes in the lanes used for vehicular traffic exiting the premises, when Defendants knew, or in the exercise of reasonable care should have known, that this condition created dangers and hazards for persons using same;
- c. failed to warn Plaintiff of the existence of the aforementioned dangerous conditions;
- d. failed to identify, remedy, block off, rope, or otherwise cordon-off the aforementioned dangerous conditions;
- e. failed to adequately manage, repair and maintain the aforementioned area so as to keep same safe for persons lawfully using same;
- f. failed to direct traffic so that vehicles would not encounter the dangerous areas;
- g. failed to adequately illuminate the area when Defendants knew, or in the exercise of reasonable care should have known, of the existence of the dangers presented;
- g. designed, created, constructed, installed, managed and maintained a dangerous condition, specifically, a parking lot that was dangerous when put to its intended use; and
- h. created and/or allowed the creation and existence of a means of egress from the property which violated the customs and practice and standards of design of the construction and maintenance industries which require paved areas to be free of hazards, and maintained for safe use.

9. As a direct and proximate result of one or more of the aforesaid negligent acts and/or omissions of Defendants SUNRISE and SPTMRT, and each of them, Plaintiff's vehicle was caused to leave the road and hit a tree.

10. As direct and proximate cause of one or more of the aforementioned negligent acts and or omissions of defendants, SUNRISE and SPTMRT, and each of them, Plaintiff FAYE GARLAND then and there sustained severe and permanent injuries, both internally and externally, which caused and continues to cause her great pain and suffering and necessitated the

expenditure of and will in the future necessitate the expenditure of large sums of money for medical care and services related to her injuries, and was and will in the future hinder and prevent her from attending to her duties and affairs, and has lost, and will in the future lose the value of that time.

WHEREFORE, Plaintiff, FAYE GARLAND, demands judgment against Defendants, SUNRISE SENIOR LIVING, INC., D/B/A SUNRISE CHURCH CREEK, SUNRISE SENIOR LIVING SERVICES, INC., and SUNRISE SENIOR LIVING INVESTMENTS, INC., a foreign corporation, and SPTMRT PROPERTIES, a Maryland real estate investment Trust, and each of them, in an amount in excess of the jurisdictional limits of this Court as well as costs concomitant herewith.

Respectfully submitted,

**SCHIFF GORMAN & KRKLJES**

By: 

Thomas G. Gorman  
**SCHIFF GORMAN & KRKLJES**  
One East Wacker Drive, 28<sup>th</sup> Floor  
Chicago, Illinois 60601  
(312) 345-7210

Firm ID# 37407

IN THE CIRCUIT COURT OF COOK COUNTY  
COUNTY DEPARTMENT, LAW DIVISION

FAYE M. GARLAND,

Plaintiff,

vs.

Case No.:

SUNRISE SENIOR LIVING, INC., d/b/a )  
SUNRISE CHURCH CREEK, SUNRISE )  
SENIOR LIVING SERVICES, INC. )  
SUNRISE SENIOR LIVING )  
MANAGEMENT, INC. and )  
SUNRISE SENIOR LIVING )  
INVESTMENTS, INC., a foreign )  
Corporation, and SPTMRT PROPERTIES )  
TRUST, a Maryland real estate investment )  
trust, )

Defendants.

AFFIDAVIT PURSUANT TO RULE 222(b)

Thomas G. Gorman, upon oath, states that if called will testify as follows:

I am one of the attorneys for the Plaintiff, FAYE GARLAND.

I am familiar with the extent of damages suffered by FAYE GARLAND; and

I reasonably believe that the total money damages suffered by her exceeds \$50,000.00 exclusive of costs.

CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that, at this time, the statements set forth in this instrument are true and correct to the best of my knowledge, information and belief.

  
Thomas G. Gorman